

EXHIBIT D

CAUSE NO. 23-1074-C395

X CORP., SUCCESSOR IN INTEREST § IN THE DISTRICT COURT OF
TO TWITTER, INC. § §
§
§
Plaintiff, § §
§
v. § WILLIAMSON COUNTY, TEXAS
§
§
MARK SCHOBINGER § §
§
§
Defendant. § 395th JUDICIAL DISTRICT
§

TEMPORARY RESTRAINING ORDER

Plaintiff X Corp., successor in interest to Twitter, Inc. (“Twitter”), filed a Verified Petition and Application for Temporary Restraining Order, Temporary Injunction, and Permanent Injunction (“TRO Application”) against Defendant Mark Schobinger (“Schobinger”). Having considered Twitter’s TRO Application, the evidence attached thereto, and argument of counsel, the Court finds that the TRO Application shall be in all things **GRANTED**.

Based on the evidence and verified allegations in Twitter’s TRO Application, the Court preliminarily finds that: (i) Schobinger received access to Twitter’s confidential and sensitive information during his employment with Twitter; (ii) Schobinger downloaded documents containing Twitter’s confidential and sensitive information and transmitted such documents to his personal email and personal Google Drive accounts during the months, weeks, and days before his employment ended; (iii) Schobinger also maintained on his personal Google Drive account a folder entitled “Work,” with numerous subfolders relating to his work with Twitter; (iv) when confronted, Schobinger admitted to Twitter that he transmitted Twitter documents to his personal email and personal Google Drive accounts but further stated that he deleted such documents; (v) Schobinger admitted to

deleting at least some of these documents after receiving Twitter's preservation demand; (vi) Schobinger agreed to submit to a forensic review to confirm he deleted Twitter's information from his devices and accounts; (vii) after obtaining counsel, however, Schobinger refused to submit to a forensic review and refused to provide Twitter with any sworn statement that he actually deleted and did not disclose its confidential and sensitive information; and (viii) Schobinger is in a position to use such information to his benefit and to Twitter's and its employees' detriment. Based on the foregoing, the Court finds that Twitter will suffer probable, imminent, and irreparable harm if the Court does not enter a temporary restraining order.

To preserve the status quo until a hearing on Twitter's Temporary Injunction Application, the Court **ORDERS** that Schobinger and all others acting in concert with him are restrained from:

- a. directly or indirectly using or disclosing the documents and folders listed in Exhibits 1 and 2; and
- b. directly or indirectly using or disclosing information in the documents and folders listed in Exhibits 1 and 2.

For the avoidance of doubt, this Order restrains neither Schobinger nor others acting in concert with Schobinger from seeking discovery from Twitter pursuant to the procedural rules of the court presiding over the putative class action lawsuit Schobinger filed against Twitter in the US District Court for the Northern District of California – San Francisco Division (the “Lawsuit”), or from using such discovery if obtained in the Lawsuit, nor does it restrain Twitter from asserting any objections to such discovery in the Lawsuit. Moreover, nothing in this Order shall be construed as prohibiting Schobinger from asserting his claims or any defenses in the Lawsuit.

It is further **ORDERED** that Twitter file a bond in the amount of \$100.00 with the Clerk of the Court.

It is further **ORDERED** that Twitter's Temporary Injunction Application is set for an in-person hearing on July 25, 2023 at 9:00 a.m. in this Court. The purpose of the hearing is to determine whether this temporary restraining order should be made a temporary injunction pending a full trial on the merits.

This Temporary Restraining Order expires on July 25, 2023.

EXECUTED this _____ day of _____, 2023, at _____ a.m./p.m.

PRESIDING JUDGE

EXHIBIT 1
DOWNLOAD FILE NAMES

1. TWTR_Lapse_Schedule_Report.zip
2. TWTR_Grant_Award_052423.xlsx
3. Phase One_Comp Planning Master [March 2023].xlsx
4. AON CONSULTING INC_Compensation Survey 22 - signed (1).pdf
5. JobFamilyReport - 5_24_2023 9_6_20 AM.xlsx
6. FAQ for Separated Twitter Employees.pdf
7. FAQ for Separated Twitter Employees.docx
8. A_C [POST CLOSE - DRAFT] Twitter acquisition_Tweep FAQ - October 2022.pdf
9. A_C [POST CLOSE - DRAFT] Twitter acquisition_Tweep FAQ - October 2022.docx
10. VestingSchedule (3).xlsx
11. Client Attorney Privileged - France EE Listing.xlsx
12. CR - Compensation Detail Report_Compton 05222023 2023-05-22 09_18 CDT.xlsx
13. Go_COBRA FAQ .docx
14. Go_COBRA FAQ (2).docx
15. Twitter Private Company Long-Term Incentive Programs and Strategy - October 2022 (1).pdf
16. TWTR_GrantActivity_20230518 (1).xlsx
17. TWTR_GrantActivity_20230518.xlsx
18. 2022 Annual Plan Legal Notice.pdf
19. Twitter_Inc-SMM 1-1-2022.pdf
20. 401(k) Plan Highlights 2021.pdf
21. 401(k) FAQs .docx
22. 401(k) FAQs .pdf
23. Twitter Inc SPD 1-1-2022.pdf
24. document (2).pdf
25. document (1).pdf
26. TWTR_LapseSchedule_20230517 (1).zip

27. TWTR_LapseSchedule_20230517.zip
28. VestingSchedule (2).xlsx
29. VestingSchedule (2).xlsx
30. Execs - PRSU - Waiver of Performance Metrics - Considered Achieved.docx
31. US RIF & Opt Outs who have not Signed Sep Agreements.xlsx
32. NEW_WFH Policy (Twitter 2.0).docx
33. VestingSchedule (2).xlsx
34. PBP_FAQs.docx
35. PBP_Examples of Mechanics.docx
36. Twitter 2.0 - Compensation + Equity.pptx
37. Twitter 2.0 Compensation One Pager.docx
38. Restricted Stock Units.html
39. PBP.html
40. Base Salary.html
41. Compensation cycles.html
42. Payout.html
43. Target Quota Model.html
44. Revenue Share Model.html
45. Sales Incentive Plan.html
46. How we think about compensation.html
47. How we think about compensation.html
48. Our global approach to pay.html
49. Separation Agreement Request (Global) Responses (1).xlsx
50. Q1-2023 Sales Incentive (go_q1salesincentive) (2).xlsx
51. RGCD-Data-Validation-Report.pdf
52. RGCD-Data-Validation-Report.pdf
53. 2023_RGCD_Job_Catalogue.pdf
54. 2023_RGCD_Job_Catalogue.pdf
55. 2022_Radford_GCD_Functional_Job_Matrix (1).xlsx
56. 2022_Radford_GCD_Functional_Job_Matrix (1).xlsx

57. 2022_Radford_GCD_YOY_Mapping (1).xlsx
58. 2022_Radford_GCD_YOY_Mapping (1).xlsx
59. 2022_Radford_GCD_YOY_Mapping.xlsx
60. 2022_Radford_GCD_YOY_Mapping.xlsx
61. 2022_Radford_GCD_Roll_Up_Jobs_Detailed_Definitions.xlsx
62. 2022_Radford_GCD_Roll_Up_Jobs_Detailed_Definitions.xlsx
63. 2022_Radford_GCD_Roll_Up_Jobs_Definitions (1).xlsx
64. 2022_Radford_GCD_Roll_Up_Jobs_Definitions (1).xlsx
65. 2022_Radford_GCD_JobList_and_Descriptions (1).xlsx
66. 2022_Radford_GCD_JobList_and_Descriptions (1).xlsx
67. 2022_Radford_GCD_Job_Family_Descriptions.docx
68. 2022_Radford_GCD_Job_Family_Descriptions.docx
69. 2022_Radford_GCD_Functional_Job_Matrix.xlsx
70. 2022_Radford_GCD_Functional_Job_Matrix.xlsx
71. 2023_Radford_GCD_YOY_Job_Mapping.xlsx
72. 2023_Radford_GCD_YOY_Job_Mapping.xlsx
73. 2023_Radford_GCD_Job_Family_Descriptions.docx
74. 2023_Radford_GCD_Job_Family_Descriptions.docx
75. 2023-Radford_GCD_Functional_Job_Matrix.xlsx
76. 2023-Radford_GCD_Functional_Job_Matrix.xlsx
77. JobFamilyReport - 5_8_2023 18_36_28 PM.xlsx
78. JobFamilyReport - 5_8_2023 18_36_28 PM.xlsx
79. Phase Two_Equity Planning Master [April 2023] (1).xlsx
80. Phase Two_Equity Planning Master [April 2023] (1).xlsx
81. 2022 Market Pricing Enhancement Tool Development (Bianco).xlsx
82. 2022 Market Pricing Enhancement Tool Development (Bianco).xlsx
83. Salary adjustment CCT 2023 - TWITTER.XLSX
84. Salary adjustment CCT 2023 - TWITTER.XLSX
85. TWTR_LapseSchedule_20230505.xlsx
86. TWTR_LapseSchedule_20230505.xlsx
87. Phase Two_Equity Planning Master [April 2023].xlsx

88. Phase Two _ Equity Planning Master [April 2023].xlsx
89. Q1-2023 Sales Incentive (go_q1salesincentive) (1).xlsx
90. Q1-2023 Sales Incentive (go_q1salesincentive) (1).xlsx
91. CR - Compensation Detail Report_Compton 05052023 2023-05-05
12_02 CDT.xlsx
92. CR - Compensation Detail Report_Compton 05052023 2023-05-05
12_02 CDT.xlsx

EXHIBIT 2
FOLDER NAMES

1. 401k
2. Benchmarking
3. Comp Cmte Meetings
4. Finals
5. HR Transition 2022-2023
6. Playbooks
7. Projects
8. Reports

Automated Certificate of eService

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Veronica Sanchez on behalf of Stefanie Moll

Bar No. 24002870

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Envelope ID: 77422970

Filing Code Description: Proposed Order

Filing Description: Proposed Temporary Restraining Order, Env.

#77422970

Status as of 7/12/2023 8:22 AM CST

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Associated Case Party: Mark Schobinger

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